Remarks

Claims 1-20 are pending.

Claim 1 has been amended to particularly point out and distinctly claim Applicants' invention. Claim 1 recites that the operating handle includes a first position when the separable contacts are open, a second position when the separable contacts are closed, a first surface proximate and illuminated by the first indicator in the first position when the separable contacts are open, and a second surface proximate and illuminated by the second indicator in the second position when the separable contacts are closed, with the first surface being distal from the second indicator in the first position, and the second surface being distal from the first indicator in the second position. See, for example, Figures 1-3 and the corresponding disclosure.

Claim 9 has been rewritten in independent form to include the limitations of original Claim 1 from which it formerly depended.

Claim 18 has been rewritten in independent form to include the limitations of original Claims 1 and 17 from which it formerly depended.

REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner rejects Claims 1-8, 15, 16 and 20 as being unpatentable over U.S. Patent No. 6,246,304 (Gasper) in view of U.S. Patent No. 4,969,063 (Scott et al.).

Gasper discloses a trip indicating circuit breaker 10 including a housing 20, a stationary electrical contact 50, an electrical contact 60 mounted on a contact bar 70, an operating handle 160, and a plunger 340 that is free to protrude from the housing 20 to provide a visual indication of a trip state. The circuit breaker 10 has on (Figure 1), tripped (Figures 2 and 3) and off (Figures 4 and 5) states.

Scott et al. discloses a breaker assembly 10 contained within a housing 12. A three color light emitting diode (LED) unit 34 is mounted on the front wall of the housing 12. Such LED units 34 typically consist of a red and a green LED mounted behind a light-diffusing window 35. When only one LED is selectively energized, the light coming from the window 35 will be either red or green; however, when both are energized the blending action of the window 35 causes an observer's eye to perceive the two colors as their additive complement, namely orange. The breaker assembly 10 includes a manual actuator 20 having affixed or otherwise coupled thereto a handle 24 extending outwardly through an aperture 26 in a front wall of the housing 12. The aperture 26 is configured with sufficient length to allow the handle 24 to be rotated through a range of positions.

Scott et al. discloses that the light emitting diode assembly 34 of Figure 1 may, if desired, be incorporated into the handle 24 as assembly 34a.

Claim 1, as amended, recites, *inter alia*, a circuit breaker comprising: a housing including an opening; separable contacts within the housing; an operating mechanism for opening and closing the separable contacts, the operating mechanism including an operating handle having a portion protruding through the opening of the housing; means for providing a first output when the separable contacts are open and a second output when the separable contacts are closed; a first indicator cooperating with the first output of the means for providing, the first indicator being proximate the operating handle and being illuminated when the separable contacts are open; and a second indicator cooperating with the second output of the means for providing, the second indicator being proximate the operating handle and being illuminated when the separable contacts are closed, wherein the operating handle includes a first position when the separable contacts are open, a second position when the separable contacts are closed, a first surface proximate and illuminated by the first indicator in the first position when the separable contacts are open, and a second surface proximate and illuminated by the second indicator in the second position when the separable contacts are closed, the first surface being distal from the second indicator in the first position, the second surface being distal from the first indicator in the second position, and wherein one of the first and second indicators illuminates the operating handle.

The Examiner states that Gasper does not disclose a first indicator and a second indicator. Clearly, Gasper, which discloses a protruding plunger 340, neither teaches nor suggests any one of first and second indicators that illuminate an operating handle.

Scott et al., which discloses a light emitting diode assembly 34 on a front wall of a circuit breaker housing 12 or on an end 34a of a handle 24, does not teach or suggest and adds nothing to Gasper regarding the refined recital of a first operating handle surface being proximate and illuminated by a first indicator in a first operating handle position when separable contacts are open, and a second operating handle surface being proximate and illuminated by a second indicator in a second operating handle position when such separable contacts are closed, with such first operating handle surface being distal from such second indicator in such first operating handle position, such second surface being distal from such first indicator in such second operating handle position.

Accordingly, for the above reasons, the references, whether taken alone or in combination, do not teach or suggest the refined recital of Claim 1.

Claims 2-8, 15, 16 and 20 depend either directly or indirectly from Claim 1, include all of the limitations thereof, and patentably distinguish over the references for the same reasons.

The Examiner rejects Claim 17 as being unpatentable over Gasper and Scott et al., and further in view of U.S. Patent No. 6,342,995 (Jones).

Jones discloses a lighted escutcheon plate 10 for power distribution equipment including an escutcheon plate 12 in electrical communication with a power distribution circuit 18; and a plurality of LED bulbs 24, generally green or alternatively red, mounted on the escutcheon plate 12, so as to provide a visual indication of an open circuit status by lighting when the power distribution circuit 18 is opened. The plate 12 also includes a plurality of LED bulbs 22, generally red or alternatively green, mounted on the escutcheon plate 12, so as to provide a visual indication of a close circuit status by lighting when the power distribution circuit 18 is closed. For tripped circuit conditions the plate 12 includes a plurality of LED bulbs 34, generally yellow or amber, mounted on the escutcheon plate 12, so as to provide a visual indication of a trip circuit status by lighting when the power distribution circuit 18 is tripped.

Jones, which discloses a handle means 38 extending from an escutcheon plate 12 having a plurality of LED bulbs 22,24,34 thereon, adds nothing to Gasper and Scott et al. to render Claim 1 unpatentable.

Claim 17 depends from Claim 1, includes all of the limitations thereof, and patentably distinguishes over the references for the same reasons.

Allowable Subject Matter

The Examiner objects to Claims 9-14, 18 and 19 as depending from a rejected base claim, but states that these claims would be allowable if rewritten to include all of the limitations of the base claim and any intervening claim.

Claim 9 has been rewritten in independent form, in order to include the limitations of original base Claim 1.

It is submitted, therefore, that Claim 9, as now presented, is in condition for allowance.

Claims 10-14 depend either directly or indirectly from Claim 9 and are in condition for allowance for the same reasons.

Claim 18 has been rewritten in independent form, in order to include the limitations of original base Claim 1 and Claim 17.

It is submitted, therefore, that Claim 18, as now presented, is in condition for allowance.

Claim 19 depends from Claim 18 and is in condition for allowance for the same reasons.

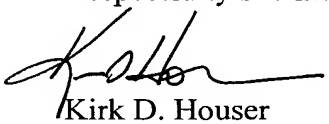
Summary and Conclusion

The prior art made of record and not relied upon but considered pertinent to Applicants' disclosure has been reviewed.

In summary, it is submitted that Claims 1-20 are patentable over the references of record.

Reconsideration and early allowance are requested.

Respectfully submitted,



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